

Alabama Board of Examiners in Psychology



Functional Analysis & Records Disposition Authority

**Revision
Presented to the
State Records Commission
April 26, 2001**

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Functional and Organizational Analysis of the Alabama Board of Examiners in Psychology

Sources of Information

- Representatives of the Board of Examiners in Psychology
- Code of Alabama 1975 § 34-26-1 through § 34-26-65
- Alabama Government Manual (1994)
- Alabama Administrative Code Chapters 750-X-1 through 750-X-6
- Government Records Division, State Agency Files (1985-ongoing)
- Holdings of the Department of Archives and History for the Board of Examiners in Psychology
- Board of Examiners in Psychology Audit Reports for October 1, 1993, through September 30, 1995, and for October 1, 1995, through September 30, 1997
- “Alabama Board of Examiners in Psychology Annual Newsletter,” 1997, 1998
- Annual Report for the Board of Examiners in Psychology, FY 1996-1997

Historical Context

The Board of Examiners in Psychology was originally created by an act of the legislature in 1963. The board was continued by the legislature in 1982, 1984, 1988, 1992, 1993, 1996, and 1997.

Agency Organization

The Board of Examiners in Psychology currently consists of eight members appointed by the governor. Five of the appointments are made from lists of candidates submitted by the Alabama Psychological Association. The governor also appoints a psychological technician to the board and appoints two members from the state population at-large, with the exception that neither the public members nor their spouses can be licensed by the board. One of the public members must be African American. The public member that is not required to be African American will not be replaced once the current term expires due to a change in the law. The board will thereafter only consist of seven members, only one of the members will be from the population at-large. Terms are for five years. The board members elect a chair and vice-chair and meet yearly or as needed. The board may hire any assistants necessary to carry out its activities. An organizational chart is attached.

Agency Function and Subfunctions

The mandated function of the Board of Examiners in Psychology is to regulate the practice of psychology in the state. The board is one of the agencies responsible for performing the Regulatory function of Alabama government.

In the performance of its mandated function, the board may engage in the following subfunctions:

- **Promulgating Rules and Regulations.** In accordance with the Administrative Procedures Act (Code of Alabama 1975 § 41-22-3), the board has the authority to prescribe rules and regulations for licensure in psychology. The board also develops appropriate procedures or techniques for the implementation of the rules and regulations. This subfunction encompasses activities pertaining to the establishment and promulgation of rules, regulations, and procedures by the board for carrying out its duties and responsibilities.
- **Licensing.** Practitioners of psychology in the state must be licensed by the board. The board licenses both psychologists and psychological technicians. A psychological technician requires the supervision of a psychologist when providing certain specified services such as counseling and guidance (Code of Alabama 1975 § 34-26-1).

A candidate for licensure as a psychologist must furnish the board with evidence of good moral character, must prove receipt of a doctorate degree in psychology from an approved institution, and must prove competence in psychology by passing an examination prescribed by the board. A candidate for licensure as a psychological technician must furnish the board with evidence of good moral character and proof of completion of a master's degree in psychology, and prove competence as a psychological technician by passing an examination prescribed by the board.

The board is a member of the Association of State and Provincial Psychology Boards (ASPPB). As a member, the board has access to a nationwide database that it utilizes to perform background checks on all applicants to ensure that the applicant is in good standing in other states where the applicant may be licensed. All members of ASPPB are required by that organization to provide information on any disciplinary actions taken against licensees.

The board collects a fee with each application and for each examination. Applicants must pass two exams: the Examination for Professional Practice in Psychology (EPPP) created by the Association of State and Provincial Psychology Boards (ASPPB) and administered by the board, and a state exam created and administered by the board. After the examinations are graded, an applicant is held to pass the exams upon the affirmative vote of three or more members. Once an applicant has met the criteria of the board for licensure and paid all applicable fees to the board, the board issues a license to the individual. Licensees must submit proof of meeting annual continuing education requirements and must pay an annual license fee to the board.

- **Investigating.** If a complaint is filed with the board against a licensee, the complaint is entered into a log and an investigative file is created. After investigating the complaint, the board decides if the complaint is founded or unfounded. If the complaint is unfounded the matter is closed, but if it is founded then the board tries to work out a settlement. The settlement includes the individual acknowledging the offense and agreeing to the terms of

the settlement, which may include continuing education and/or suspension, probation, or revocation of their license. If a settlement is not workable, then the board schedules a public hearing.

- **Conducting Hearings.** The board may suspend, place on probation, or revoke the license of any psychologist or psychological technician following a public hearing of the board. The board must notify the individual at least twenty days prior to the scheduled hearing. At the hearing, the hearing officer may administer oaths and produce by subpoenas the attendance of witnesses and the production of relevant books and papers. The administrator makes a recommendation based upon the hearing. The board then chooses to suspend, place on probation, revoke, or maintain the license of the individual based upon the hearing administrator's recommendation.
- **Administering Internal Operations.** A significant portion of the agency's work includes general administrative, financial, and personnel activities performed to support the programmatic areas of the agency.

Managing the Agency: Activities involved in managing the agency may include internal office management activities such as corresponding and communicating; scheduling; meeting; creating policy and procedures; reporting; litigating; legislating (drafting, lobbying, tracking); publicizing and providing information; managing records; and managing information systems and technology.

Managing Finances: Activities involved in managing finances may include the following: budgeting (preparing and reviewing the budget package, submitting the budget package to the Department of Finance, documenting amendments and performance of the budget); purchasing (requisitioning and purchasing supplies and equipment, receipting and invoicing for goods, and authorizing payment for products received); accounting for the expenditure, encumbrance, disbursement, and reconciliation of funds within the agency's budget through a uniform system of accounting and reporting; authorizing travel; contracting with companies or individuals; bidding for products and services; and assisting in the audit process.

Managing Human Resources: Activities involved in managing human resources may include the following: recruiting and hiring eligible individuals to fill vacant positions within the agency; providing compensation and benefits to employees; supervising employees (evaluating performance, disciplining, granting leave, and monitoring the accumulation of leave); and providing training and continuing education for employees.

Managing Properties, Facilities, and Resources: Activities involved in managing properties, facilities, and resources may include the following: inventorying and accounting for non-consumable property and reporting property information to the appropriate authority; constructing buildings and facilities; leasing and/or renting offices or facilities; providing for security and/or insurance for property; and assigning, inspecting, and maintaining agency property, including vehicles.

Analysis of Record Keeping System and Records Appraisal of the Alabama Board of Examiners in Psychology

Agency Record Keeping System

The Board of Examiners in Psychology operates a hybrid system composed of electronic and paper records.

Computer Systems: The board utilizes a database created in Visual DB by the Information Services Division of the Department of Finance for quick access to licensee information. The information in the database can be found in the paper records of the board.

Records Appraisal

The following is a discussion of the two major categories of records created and/or maintained by the Alabama Board of Examiners in Psychology: Temporary Records and Permanent Records.

I. Temporary Records. Temporary records should be held for what is considered to be their active life and disposed of once all fiscal, legal and administrative requirements have been met. Some of the temporary records created by the Alabama Board of Examiners in Psychology are discussed below:

- **Licensure Files.** When an applicant becomes licensed, the board creates a file for the individual. The file is used for reference by the board and to provide information to be entered into the licensee database. After the licensee becomes inactive, the file becomes less useful and after five years is no longer needed. If necessary, documentation of someone being licensed can be found in the minutes of the board and the licensing certificate/control number file. The licensure files are recommended for retention five years after becoming inactive.
- **Licensee Database.** The board enters licensee information into a database. This database was started in 1995. Previous license information has not been entered into the database. An annual roster is generated from the database. The information in the database is used for quick reference by the staff, but all information can be recreated from the licensure files. The information in the database is only useful until it is superseded or obsolete. If necessary, documentation of someone being licensed can be found in the minutes of the board and the licensing certificate/control number file. This record is recommended for retention until superseded or obsolete.
- **Annual Roster of Current Licensees.** The board annually prints out a listing of all its current licensees. The roster is generated from the board's licensee database, which is created from information in the licensure files. The roster provides easy reference to the staff, as well as to other licensees and the public. Once the roster is superseded, its reference value diminishes. If necessary, documentation of someone being licensed can

be found in the minutes of the board and the licensing certificate/control number file. This record is recommended for retention until superseded or obsolete.

- **Exam Scores.** The board maintains a file of exam scores for everyone who has taken an exam administered by the board. The board references these files to obtain scoring information for applicants. This information is utilized by the board and by applicants. This record is recommended to be retained for 20 years.
- **Licensee Disciplinary Files.** Disciplinary files are created after a complaint is made against a licensee. The board investigates the complaint and decides if it is founded or unfounded. If the complaint is founded, the licensee is contacted. The board tries to work out a settlement. If the matter is settled to the board's satisfaction, no further action is taken. If no settlement is reached, the board holds a hearing. The documentation of any settlement or results of a hearing are filed in the disciplinary files. The board uses these files to ensure that licensees follow the terms of settlements and hearing decisions and to protect the public from repeat offenders. Disciplinary files with founded complaints are recommended for retention 20 years after licensee becomes inactive in Alabama, while files with unfounded complaints are recommended for retention until completion of the next sunset review.
- **Investigation Files of Complaints Against Non-Licensed Individuals.** These investigation files are created after someone complains about a non-licensed individual. The staff members of the board investigate the complaint. If the complaint is not substantiated the file is closed, but if it is substantiated the board takes appropriate action such as issuing a cease-and-desist order. Once the individual abides by the board's action, the file is closed. This record is recommended to be retained for 20 years.
- **Quarterly Background Reports.** The board is a member of the Association of State and Provincial Psychology Boards (ASPPB). As a member, the board has access to a nationwide database that it utilizes to perform background checks on all applicants to ensure that the applicant is of good standing in other states. The ASPPB sends a quarterly report on the information added to the nationwide database that is used for reference when the system is down. If the board were to no longer utilize the database, the background reports would be necessary to perform background checks on applicants. This record is recommended for 20-year retention.
- **Hearing Transcripts.** A transcript is created for each disciplinary hearing. The outcome of the hearing is found in the hearing recommendation and minutes of the board. The hearing transcripts are recommended for retention 20 years after the licensee becomes inactive in Alabama.
- **Hearing Recommendations/Orders of the Board.** The hearing officer makes a recommendation to the board as to what action should be taken based upon the hearing. The board votes as to what action will be taken and issues an order. The outcome is documented in the minutes of the board. The hearing recommendations/orders of the

board are recommended for retention 20 years after the licensee becomes inactive in Alabama.

II. Permanent Records. The Government Records Division recommends the following records as permanent.

Promulgating Rules and Regulations

- **Minutes of the Board.** The meeting minutes of the board document the decisions and actions of the board including the approval or denial of requests for licensure. These records provide important information and documentation of the board's actions that may not be found elsewhere. **(Bibliographic Title: Meeting Minutes)**

Licensing

- **Publications.** Publications include a newsletter that includes current information and listings of the names of everyone issued a new license and of everyone whose license was suspended, revoked, or not renewed during the year. The publications document what the board sees as important enough to publish. **(Bibliographic Title: State Publications)**
- **Licensing Certificate/Control Number File.** This file contains a list of all issued certificates with control number and licensee name. The file documents the issuance of certificates and who was licensed by the board. Although this information is also found in other permanent records of the board, the licensing certificate/control number file is the easiest to use for verifying if someone was licensed by the board.
- **State Exams and Answers.** The board is responsible for creating and administering a state exam. This exam is administered in addition to the national exam. One copy of the exam with answers is useful in documenting the changes in focus of testing for licensure over time. **(Bibliographic Title: Exams and Answers for State Licensure)**

Investigating

Records documenting this subfunction are found in the agency's meeting minutes as described in the Promulgating Rules and Regulations subfunction above.

Conducting Hearings

Records documenting this subfunction are found in the agency's meeting minutes as described in the Promulgating Rules and Regulations subfunction above.

Administering Internal Operations

- **Annual Reports.** The annual reports are summary documentation of the activities of the board. (**Bibliographic Title: Annual Report**)

Permanent Records List

Alabama Board of Examiners in Psychology

Promulgating Rules and Regulations

1. Minutes of the Board

Licensing

1. Publications
2. Licensing Certificate/Control Number File*
3. State Exams and Answers

Administering Internal Operations:

1. Annual Reports

*indicates records that ADAH anticipates will remain in the care and custody of the creating agency.

ADAH staff members are available to work with agency staff in determining the best location and storage conditions for the long-term care and maintenance of permanent records.

Alabama Board of Examiners in Psychology Records Disposition Authority

This Records Disposition Authority (RDA) is issued by the State Records Commission under the authority granted by the Code of Alabama 1975 § 41-13-5 and § 41-13-20 through 21. It was compiled by the Government Records Division, Alabama Department of Archives and History (ADAH), which serves as the commission's staff, in cooperation with representatives of the Board of Examiners in Psychology. The RDA lists records created and maintained by the Board of Examiners in Psychology in carrying out its mandated functions and activities. It establishes retention periods and disposition instructions for those records and provides the legal authority for the Board of Examiners in Psychology to implement records destruction.

Alabama law requires public officials to create and maintain records that document the business of their offices. These records must be protected from "mutilation, loss, or destruction," so that they may be transferred to an official's successor in office and made available to members of the public. Under the Code of Alabama 1975 § 36-12-40, "every citizen has a right to inspect and take a copy of any public writing in this state, except as otherwise expressly provided by statute." Records must also be kept in accordance with auditing standards approved by the Examiners of Public Accounts (Code of Alabama 1975 § 36-12-2, § 36-12-4, and § 41-5-23). For assistance in implementing this RDA, or for advice on records disposition or other records management concerns, contact the ADAH Government Records Division at (334) 242-4452.

Explanation of Records Requirements

- This RDA supersedes any previous records disposition schedules governing the retention of the Alabama Board of Examiners in Psychology's records. Copies of superseded schedules are no longer valid and may not be used for records disposition.
- The RDA establishes retention and disposition instructions for records regardless of the medium on which those records may be kept.
- Electronic mail is a communications tool that may record permanent or temporary information. As for records in any other format, the retention periods for e-mail records are governed by the requirements of the subfunctions to which the records belong.
- Some temporary records listed under the Administering Internal Operations subfunction of this RDA represent duplicate copies of records listed for long-term or permanent retention in the RDAs of other agencies.
- Certain records and records-related materials need not be retained as records under the disposition requirements in this RDA. Such materials include: (1) duplicate record copies that do not require official action, so long as the creating office maintains the original record for the period required; (2) catalogs, trade journals, and other publications received that require no action and do not document government activities; (3) stocks of blank stationery, blank forms, or other surplus materials that are not subject to audit and

have become obsolete; (4) transitory records, which are temporary records created for short-term, internal purposes that may include, but are not limited to: telephone call-back messages; drafts of ordinary documents not needed for their evidential value; copies of material sent for information purposes but not needed by the receiving office for future business; and internal communications about social activities; and (5) honorary materials, plaques, awards, presentations, certificates, and gifts received or maintained by the agency staff.. They may be disposed of without documentation of destruction.

Records Disposition Requirements

This section of the RDA is arranged by subfunctions of the Alabama Board of Examiners in Psychology and lists the groups of records created and/or maintained by the agency as a result of activities and transactions performed in carrying out these subfunctions. The board may submit requests to revise specific records disposition requirements to the State Records Commission for consideration at its regular quarterly meetings.

Promulgating Rules and Regulations

REGISTER OF ADMINISTRATIVE RULES

Disposition: PERMANENT RECORD. Retain in office (Code of Alabama 1975 § 41-22-6).

Administrative Rule Files

Disposition: Temporary Record. Retain for useful life.

MINUTES OF THE BOARD

Disposition: PERMANENT RECORD.

Recordings of Board Meetings

Disposition: Temporary Record. Retain until the official minutes are adopted and signed.

Licensing

PUBLICATIONS

Disposition: PERMANENT RECORD.

LICENSING CERTIFICATE/CONTROL NUMBER FILE

Disposition: PERMANENT RECORD.

Application Files

Disposition: Temporary Record. Retain 5 years after file becomes inactive.

Submissions Not Resulting in Applications

Disposition: Temporary Record. Retain 1 year.

Licensure Files

Disposition: Temporary Record. Retain 5 years after file becomes inactive.

Licensee Database

Disposition: Temporary Record. Retain until superseded or obsolete.

Annual Roster of Current Licensees

Disposition: Temporary Record. Retain until superseded or obsolete.

Exam Scores

Disposition: Temporary Record. Retain 20 years.

STATE EXAMS AND ANSWERS

Disposition: PERMANENT RECORD.

Continuing Education Files

Disposition: Temporary Record. Retain 3 years.

Investigating**Complaint Logs**

Disposition: Temporary Record. Retain until completion of the next sunset review or 3 years after end of the fiscal year in which the records were created, whichever is longer.

Licensee Disciplinary Files

Disposition: Temporary Record. Retain files of unfounded complaints until completion of the next sunset review. Retain files of founded complaints 20 years after licensee becomes inactive in Alabama.

Investigation Files of Complaints Against Non-Licensed Individuals

Disposition: Temporary Record. Retain 20 years after file is closed.

Quarterly Background Reports

Disposition: Temporary Record. Retain 20 years.

Conducting Hearings**Hearing Transcripts**

Disposition: Temporary Record. Retain 20 years after licensee becomes inactive in Alabama.

Hearing Recommendations/Orders of the Board

Disposition: Temporary Record. Retain 20 years after licensee becomes inactive in Alabama.

Administering Internal Operations: Managing the Agency**Board Meeting Notices**

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Sunset Committee Review Records

Disposition: Temporary Record. Retain until completion of subsequent sunset review.

Appointment Letters

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the term expires.

Requests for Information

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Routine Correspondence

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Mailing Lists

Disposition: Temporary Record. Retain for useful life.

Administrative Reference Files

Disposition: Temporary Record. Retain for useful life.

ANNUAL REPORTS

Disposition: PERMANENT RECORD.

Records documenting the implementation of the agency's approved RDA (copies of transmittal forms to Archives or the State Records Center, evidence of obsolete records destroyed, and annual reports to the State Records Commission)

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Copy of RDA

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the RDA is superseded.

Computer System Documentation (Y2K Records, hardware/software manuals and diskettes, warranties, records of access/authorities, file naming conventions)

Disposition: Temporary Record. Retain documentation of former system 3 years after the end of the fiscal year in which the former hardware and software no longer exists anywhere in the agency and all permanent records have been migrated to a new system.

Printouts of Acknowledgment from the Secretary of State Relating to Notices of Meetings Posted by State Agencies

Disposition: Temporary Record. Retain 3 years.

Administering Internal Operations: Managing Finances

Records documenting the preparation of a budget request package and reporting of the status of funds, requesting amendments of allotments, and reporting program performance

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting the requisitioning and purchasing of supplies and equipment, receipting and invoicing for goods, and authorizing payment for products

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records of original entry or routine accounting transactions such as journals, registers, and ledgers; and records of funds deposited outside the state treasury, including bank statements, deposit slips, and cancelled checks

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting requests for authorization from supervisors to travel on official business and other related materials, such as travel reimbursement forms and itineraries

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Contractual records established for the purpose of services or personal property

Disposition: Temporary Record. Retain 6 years after expiration of the contract.

Records documenting the bid process, including requests for proposals and unsuccessful responses

- a. Original Bid Records Maintained in the Purchasing Office of the Agency for Contracts over \$7500
Disposition: Temporary Record. Retain 7 years after the end of the fiscal year in which the bids were opened.
- b. Duplicate copies of bid (where originals are maintained by the Finance Department - Division of Purchasing)
Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the bids were opened.

Agency Audit Reports

Disposition: Temporary Record. Retain 6 years after end of the fiscal year in which the records were created.

Administering Internal Operations: Managing Human Resources

Job Recruitment Materials

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Application Materials

Disposition: Temporary Record. Retain 1 year.

Records documenting payroll (e.g. pre-payroll reports, payroll check registers)

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Records documenting payroll deduction authorizations

Disposition: Temporary Record. Retain 6 years after separation of employee from the agency.

Records documenting payroll deductions for tax purposes (including Form 941)

Disposition: Temporary Record. Retain 6 years after separation of employee from the agency.

Records documenting employee hours worked, leave earned, leave taken, and leave donation

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting an employee's work history - generally maintained as a case file

Disposition: Temporary Record. Retain 25 years after separation of an employee from the agency.

Administering Internal Operations: Managing Properties, Facilities, and Resources

SEMIANNUAL INVENTORY LISTS

Disposition: PERMANENT RECORD. Retain in office (Code of Alabama 1975 § 36-16-8[1]).

Agency Copies of Transfer of State Property Forms (SD-1)

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Property Inventory Cards and/or Computer Files

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Receipts of Responsibility for Property

Disposition: Temporary Record. Retain until return of item to property manager.

Records documenting the lease or rental of office or warehouse space for the department

Disposition: Temporary Record. Retain 6 years after expiration of the lease.

Approval of Records Disposition Authority (RDA)

By signing this agreement, the Alabama Board of Examiners in Psychology acknowledges its responsibilities for the proper management of its records and agrees to abide by the implementation guidelines listed below:

- The Board of Examiners in Psychology will designate a managerial position as the agency records officer. This position is responsible for: ensuring the development of quality record keeping systems that meet the business and legal needs of the agency, coordinating the transfer and destruction of records, ensuring that permanent records held on alternative storage media (such as microforms and digital imaging systems) are maintained in compliance with national and state standards, submitting an annual report on records management activities to the State Records Commission in April of each year, and ensuring the regular implementation of the agency's approved RDA.
- Permanent records in the Board of Examiners in Psychology's custody will be maintained under proper intellectual control and in an environment that will ensure their physical order and preservation.
- Destruction of temporary records, as authorized in this RDA, should occur agency-wide on a regular basis – for example, after the successful completion of an audit, at the end of an administration, or at the end of a fiscal year. Despite the RDA's provisions, no record should be destroyed that is necessary to comply with requirements of the state Sunset Act, audit requirements, or any legal notice or subpoena.
- The agency should maintain full documentation of any computerized record-keeping system it employs. It should develop procedures for: (1) backing up all permanent records held in electronic format; (2) storing a back-up copy off-site; and (3) migrating all permanent records when the system is upgraded or replaced. If the agency chooses to maintain permanent records solely in electronic format, it is committed to funding any system upgrades and migration strategies necessary to ensure the records' permanent preservation and accessibility.
- The Board of Examiners in Psychology agrees to allow the staff of the State Records Commission or the Examiners of Public Accounts to examine the condition of the permanent records maintained in the custody of the agency and to inspect records destruction documentation. Government Records Division archivists are available to train the agency's staff in RDA implementation and otherwise assist the agency in implementing its records management program.

The State Records Commission adopted this revision to the Records Disposition Authority on April 26, 2001.

Edwin C. Bridges, Chairman
State Records Commission

Date

Receipt acknowledged:

Kathy Caywood, Executive Officer
Alabama Board of Examiners in Psychology

Date